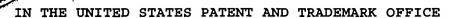
Docket No. GYN-5009



Applicants: Thomas Ryan et al.

Serial No.: 10/674,453

Art Unit: 3738

Filed

: September 30, 2003

Examiner: C. D. Prone

For :ELECTROSURGICAL INSTRUMENT AND METHOD FOR

TRANSECTING AN ORGAN

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

March 22, 2006
(Date of Deposit)

Melissa J. Szanto
(Name of applicant, assignee, or Registered Representative)

/Melissa J. Szanto/
(Signature)

March 22, 2006

(Date of Signature)

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §\$1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under \$1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

In accordance with §1.129(a), this Information							
Disclosure Statement is being filed in connection with $\hfill\square$ the							
first or second After Final Submission, therefore:							
Statement in Accordance with §1.97(e)							
(attached); or							
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0750/ / the fee of $\frac{$180.00}{}$ as set forth							
in §1.17(p).							

In accordance with §1.97(c), this Information
Disclosure Statement is being filed after the period set forth
in §1.97(b) above but before the mailing date of either a Final
Action under §1.113 or a Notice of Allowance under §1.311, or
an action that otherwise closes prosecution and that it is
accompanied by one of:

<pre>Statement in Accordance with §1.97(e) (attached); or Please charge Deposit Account No. 10- 0750/ / the fee of \$180.00 as set forth in §1.17(p).</pre>
In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).
Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith. Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:
In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.
Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2).

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There are no listed references which are not in the					
English language.					
The relevance of those listed references which are					
not in the English language is as follows:					
<pre>Attached are copies of search report(s) from</pre>					
corresponding patent application(s), which are listed on the					
attached Submission Under MPEP 609 D.					
Attached are the following non-published pending					
patent applications which may be deemed relevant, which are					
listed on the attached Submission Under MPEP 609 D.					

Applicants note that the present IDS includes only one reference that was cited within the specification of the present application, but upon review of the file following notice of allowance, it was discovered that this reference had not been officially made of record.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/GYN-5009/MJS. This form is submitted in triplicate.

Respectfully submitted,

/Melissa J. Szanto/

Melissa J. Szanto Reg. No. 40,834 Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-1365 DATED: March 22, 2006



PTO/SB/08A (08-00) Approved for use through 10/31/2002. OMB 0651-0031

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)
Sheet 1 of 1

Thomas Ryan	
). Prone	

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite	U.S. Patent Document Kind Code ² Number (if known)		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
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FOREIGN PATENT DOCUMENTS Foreign Patent Document Date of Publication Pages, Columns, Lines, of Cited Document Name of Patentee or where relevant Examiner Cite passages or relevant T⁶ mm-dd-yyyy Applicant of Cited Document Initials figures appear KindCode⁵ Office³ Number4

Examiner	Date	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as Indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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